



Attorney Docket No. 9537-3

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: David N. Ku  
Application No.: 10/658,932  
Filed: September 9, 2003  
For: Flexible Spinal Disc

Group Art Unit: 3738  
Examiner: David H. Willse

Date: November 1, 2005

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Sir:

Attached is a list of documents on Form PTO-1449, together with a copy of any listed foreign patent document and/or non-patent literature, as well as a copy of the International Search Report and the Written Opinion of the International Search Authority. Also listed on the Form PTO-1449 are documents cited in the International Search Report for the corresponding International Application Number PCT/US2004/028981. A copy of any listed U.S. patent and/or U.S. patent application publication is not provided herewith in accordance with the amendment by the U.S. Patent and Trademark Office to 37 C.F.R. § 1.98(a)(2)(ii) effective October 21, 2004. It is requested that these documents be considered by the Examiner and officially made of record in accordance with the provisions of 37 C.F.R. § 1.56 and Section 609 of the MPEP.

This Information Disclosure is submitted in accordance with 37 C.F.R. § 1.97(b)(4), before the mailing of a first action after the filing of a Request for Continued Examination under 37 C.F.R. § 1.114. Therefore, no fee is believed due. However, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,

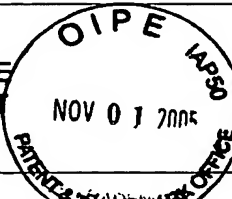
  
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Substitute form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary) Sheet <b>B1 of B2</b>			<b>Complete if Known</b> Application Number: 10/658,932 Filing Date: September 9, 2003 First Named Inventor: David N. Ku Group Art Unit: 3738 Examiner Name: David H. Willse Attorney Docket Number: 9537-3	
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U.S. PATENTS AND PATENT PUBLICATIONS					
Examiner Initials*	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code (if known)		
	1.	3,875,595	3/1	Froning	04-08-1975
	2.	4,309,777	3/1.91	Patil	01-12-1982
	3.	4,349,921	3/1	Kuntz	09-21-1982
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	5.	4,734,097	623/11	Tanabe et al.	03-29-1988
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	38.	6,936,072	623/17.16	Lambrecht et al.	08-30-2005
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U.S. PATENT APPLICATIONS				
Examiner Initials*	Cite No.	U.S. Serial No.	Name of Applicant of Cited Document	Date of Filing of Cited Document MM-DD-YYYY
	47.	2002/0065560	Varga et al.	05-30-2002
	48.	2002/0120269	Lange	08-29-2002

Examiner Signature	Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

